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5 Attorneys for Plaintiff,
5 ROCIO ADAME ALFARO, ET AL.

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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 Rocio Adame Alfaro, individually,) **CASE NO: CV F 02-6527 REC**
11 et al.,) **LJO**
12 Plaintiffs)
13 v.) **STIPULATION OF THE PARTIES**
13) **RE CONTINUANCE OF PRETRIAL**
14) **CONFERENCE AND TRIAL DATE**
14)
15 National Railroad Passenger)
15 Corporation ("Amtrak"), a U.S.)
16 Statutory Corporation; Walter)
16 Ward; W.M. Dike; Burlington)
17 Northern Santa Fe Corporation;)
17 County of Kern; City of Shafter;)
18 City of Bakersfield and DOES 1)
18 Through 100, Inclusive,)
19 Defendants.)
20 _____)
20)

21 COME NOW THE PARTIES in the above entitled matter and hereby
22 submit the following:

23 1. That the hearing on Defendant COUNTY OF KERN's and
24 Defendant SHAFTER-WASCO GINNING CO., INC.'s Motions for
25 Summary Judgment is currently set for September 19,
26 2005, at 1:30 p.m.;

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- 1 2. That the Pre-trial Conference in the above-entitled
2 matter is set for September 15, 2005, at 8:15 a.m. and
3 that the Trial date is currently set for November 1,
4 2005, at 10:00 a.m.;
- 5 3. That based on Local Court Rules the Plaintiffs' Pre-
6 Trial Statement would be due on Thursday, September 1,
7 2005, and Defendants' Pre-Trial Statement would be due
8 on September 8, 2005;
- 9 4. That the outcome of the Motions for Summary Judgement
10 will greatly affect the trial preparation of the
11 parties and those matters for discussion at the Pre-
12 Trial Conference;
- 13 5. That because the Court will not have ruled on the
14 motions at the time of the Pre-Trial Conference, the
15 parties agree to continue the Pre-Trial Conference and
16 Trial date so as to allow the hearings on the Motions
17 for Summary Judgement to go forward, the Court to rule
18 on the Motions, for the parties to have sufficient
19 trial preparation time including expert depositions,
20 mediation, etc.
- 21 6. That the parties propose the Pre-Trial Conference be
22 continued to January 24, 2006, at 8:15 a.m. and the
23 Trial date be continued to March 21, 2006, at 10:00
24 a.m. in Courtroom 1 of the United States Federal Court
25 in Fresno, California.

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1 7. Said continuance will not reopen factual discovery,
2 unless by way of separate application to the Court, but
3 will allow discovery that was properly served and/or
4 noticed within the discovery cut-off period and expert
5 discovery as necessary.

6 || It is so stipulated.

7 Dated: August 29, 2005 MORENO, BECERRA, GUERRERO & CASILLAS

By: /S/GREGORY W. MORENO
GREGORY W. MORENO
Attorneys for Plaintiffs

10 Dated: August 29, 2005 LAW OFFICES OF LUIS A. CARRILLO

By: /S/ LUIS CARRILLO
LUIS A. CARRILLO
Attorneys for Plaintiffs

13 Dated: August 31, 2005 LOMBARDI, LOPER & CONANT, LLP

By: /S/ ERIN EILEEN FRYE
B. CLYDE HUTCHINSON
ERIN E. FRYE
Attorneys for Defendants
NATIONAL RAILROAD PASSENGER C
THE BURLINGTON NORTHERN and S
RAILWAY COMPANY, WALTER WARD
DTKE

19 Rated: August 31, 2005 B.C. BARMANN, SR. COUNTY COUNSEL

By: /S/ MARK L. NATIONS
MARK L. NATIONS
Attorneys for Defendant
COUNTY OF KERN

Dated: August 29, 2005 LAW OFFICES OF BRIAN OSBORNE

By: /S/ BRIAN OSBORNE
BRIAN OSBORNE
Attorneys for Plaintiffs
MATEO ROMERO AND ROSA ROMERO

1 Dated: August 31, 2005 LAW OFFICES OF DAVID LYNN

2 By: /S/ DAVID LYNN
3 DAVID LYNN
4 Attorneys for Plaintiffs

5 Dated: August 29, 2005 McNULTY LAW FIRM

6 By: /S/ DANIEL GLASER
7 PETER J. McNULTY
8 DANIEL GLASER
9 Attorneys for Plaintiffs

10 Dated: August 29, 2005 MINEHAN, McFAUL & McLINN

11 By: /S/ THOMAS P. MINEHAN
12 THOMAS P. MINEHAN
13 Attorneys for Defendant
14 SHAFTER-WASCO GINNING CO., INC.

15 Dated: August 31, 2005 GATTUSO & KUMMER

16 By: /S/ DIXON G. KUMMER
17 DIXON G. KUMMER
18 Attorneys for Defendant
19 PALOMO FARMS

20 **ORDER**

21 GOOD CAUSE APPEARING and the parties having stipulated, it
22 is hereby ordered that the Pre-Trial Conference is continued to
23 from September 15, 2005 to January 24, 2006, at 8:15 a.m., and
24 the Trial is continued from November 1, 2005, to March 21, 2006,
25 at 10:00 a.m.

26 IT IS SO ORDERED.

27 Dated: September 7, 2005 /s/ ROBERT E. COYLE
28 UNITED STATES DISTRICT COURT JUDGE